

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re: : Case No. 22-22062-CMB  
:  
Clifford W. Cuddy : Chapter 7  
dba Cuddy's Construction, :  
:  
Debtor :  
\*\*\*\*\*

Ave Maria Dlubak, : Adversary No. 23-02016-CMB  
:  
Plaintiff : Doc. No.  
:  
v. :  
:  
Clifford W. Cuddy :  
dba Cuddy's Construction, :  
:  
Defendant :  
\*\*\*\*\*

**NOTICE OF APPEARANCE**

TO: Clerk, the United States Bankruptcy Court for the Western District of Pennsylvania

PLEASE TAKE NOTICE that, pursuant to Rule 9010 of the Federal Rules of Bankruptcy Procedure, Lisa M. Swope, Chapter 7 trustee of the Bankruptcy Estate of Clifford W. Cuddy dba Cuddy's Construction, is the duly appointed Chapter 7 trustee in the above-referenced bankruptcy case and is an interested party in the instant adversary proceeding and hereby appears in this case by and through his undersigned counsel.

PLEASE TAKE FURTHER NOTICE that, pursuant to Rule 2002 of the Federal Rules of Bankruptcy Procedure, the undersigned requests that all notices and papers specified by those Rules, and pursuant to Rule 9010 of the Bankruptcy Rules, that all other notices given or required to be given in this case and all other papers served or required to be served in this case, be given and served upon:

Kevin J. Petak, Esquire  
Spence, Custer, Saylor, Wolfe & Rose, LLC  
1067 Menoher Boulevard  
Johnstown, PA 15905  
[kpetak@spencecuster.com](mailto:kpetak@spencecuster.com)

The foregoing request includes without limitation, notices of any orders, pleadings, motions, applications, complaints, demands, hearings, requests or petitions, disclosures statements and Plans of Reorganization, answering or reply papers, memoranda and briefs in support of any of the foregoing and any other documents brought before this Court with respect to these proceedings, whether formal or

informal, whether written or oral, and whether transmitted or conveyed by mail, deliver, telephone, facsimile, telex, email or otherwise.

Please take further notice that the Trustee intends that neither this notice of appearance nor any later appearance, pleading, claim or suit shall waive (1) Trustee's right to have final orders in non-core matters entered only after de novo review by a District Judge; (2) Trustee's right to trial by jury in any proceeding so triable in this case or any case, controversy or proceeding related to this case; (3) Trustee's right to have the District Court withdraw the reference in any matter subject to mandatory or discretionary withdrawal; or (4) any other rights, claims, actions, defenses, setoffs or recoupments to which creditor is or may be entitled under agreement, in law, in equity or otherwise, all of which rights, claims, actions, defenses, setoffs, and recoupments creditor expressly reserves hereby.

Respectfully Submitted,

Spence, Custer, Saylor, Wolfe & Rose, LLC

By: /s/ Kevin J. Petak,  
Kevin J. Petak, Esquire  
PA ID # 92154  
1067 Menoher Boulevard  
Johnstown, PA 15905  
Tel: 814.536.0735  
Fax: 814.539.1423  
Email: [kpetak@spencecuster.com](mailto:kpetak@spencecuster.com)  
*Counsel for Trustee*

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DECLARATION IN LIEU OF AFFIDAVIT

Regarding Request to be added to Mailing Matrix

I am counsel to Lisa M. Swope, Chapter 7 trustee of the Bankruptcy Estate of Clifford W. Cuddy dba Cuddy's Construction. Lisa M. Swope, Trustee has authorized me to make the accompanying request for notices. The address below should be used and added to the matrix:

- that there are no other requests to receive notices on behalf of Lisa M. Swope, Trustee; or
- that the following prior request(s) for notice by or on behalf of this creditor shall be deleted from the matrix; or
- my address should be added to the mailing matrix as an additional recipient of notices for \_\_\_\_\_.

I declare under the penalty of perjury that the foregoing is true and correct.

Dated: March 2, 2023

Respectfully Submitted,

Spence, Custer, Saylor, Wolfe & Rose, LLC

By: /s/ Kevin J. Petak,  
Kevin J. Petak, Esquire  
PA ID # 92154  
1067 Menoher Boulevard  
Johnstown, PA 15905  
Email: [kpetak@spencecuster.com](mailto:kpetak@spencecuster.com)